IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.41218 of 2008
MANORANJAN JHA @ MANOJ JHA
S/O-Late Ramesh Chandra Jha, R/O-Vill-Bhramarpur, P.S.-Bihpur, Distt.-Bhagalpur.
.....Petitoner.
Versus
STATE OF BIHAR

2/ 25.11.2008 Heard learned Counsel for the petitioner and learned Counsel appearing on behalf of the State.

The petitioner is accused of a case which has been registered under Sections 304(B), 201/34 of the Indian Penal Code and 3/4 of Dowry Prohibition Act.

The informant is cousin brother of Roop Lata Jha @ Ruby who was married with the petitioner in the year 1998. When she died then the informant alleged that she was being subjected to torture prior to her death by this petitioner and other in-laws.

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Submission is that the death was on account of cardio respiratory failure. The victim was taken to the clinic of Dr. Ram Naresh Singh immediately after when she felt uneasiness. The doctor was examined under Section 161 Cr. P.C. by the police and he has stated that Roop Lata Jha @ Ruby was brought by the petitioner was properly treated but she died. In view of investigation no case under Section 304 B was found by neither the I.O. or Dy. S.P. Later on after a long lapse that is on 23.03.2007 the mother of the deceased gave her statement under Section 164 Cr. P.C. Thereafter the S.P. again enquire into the matter and opined that it was a case of cardio respiratory failure. Still he has ordered for prosecution 304 B/201 of the Indian Penal Code.

Considering the facts and circumstances of the case, the petitioner Manoranjan Jha @ Manoj Jha is ordered to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M., Naugachia in connection with Bihpur P.S. Case No. 07/2004/G.R. No. 32/2004.

kksinha/ **(Shyam Kishore Sharma, J.)**

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